

Q1 greater or fewer may also be displayed simultaneously. The web page 300 also includes a product configuration panel 318 that displays a product configuration question 320 and that accepts a product configuration answer 322. As illustrated, the product configuration answers 322 take the form of toggle button input.

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Please replace the paragraph beginning on page 9, line 16 and ending on page 9, line 20 with the following replacement paragraph.

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Q2 As noted above, the product matrix 304 responsively updates based on the product configuration answer 322 to eliminate at least one product entry 306 in the product matrix 304. It is further noted that the product configuration parameters 312, 314, and 316 may be formatted as hyperlinks to product configuration informational pages with detailed descriptions of the associated product configuration parameter.

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#### Remarks

The Office Action mailed January 16, 2003 has been carefully reviewed and the following remarks are made in consequence thereof. Submitted herewith is a Submission of Marked Up Paragraphs. No new matter has been added.

Claims 1-29 are now pending in this application. Claims 1-29 are rejected.

The objection to Figure 3 is respectfully traversed. However, to expedite the prosecution of this case, Applicants have amended Figure 3 to clarify that element 304 refers to a product matrix. Submitted herewith is a Request for Approval of Drawing Change. Accordingly, Applicants respectfully request that the objection to Figure 3 be withdrawn.

The objection to the specification is respectfully traversed. Applicants have amended the specification to change "312-316" to "312, 314, and 316". Accordingly, Applicants respectfully request that the objection to the specification be withdrawn.

The rejection of Claims 1, 5, 11, 14, 19, 25, and 26 under 35 U.S.C. § 102(b) as being anticipated by “Calico Technology: Concinity configuration/quotation system (Teresko, John et al. December 15, 1996. *Industry Week*)” (“Teresko”) is respectfully traversed.

Teresko describes a sales quotation and configuration software. More than a mere “product selector,” the software enables customers to browse a vendor’s options, configure their selections, and buy complex products or services online without a sales representative. The software can walk the customer through a series of questions to configure an order.

Claim 1 recites a method for product selection assistance, the method including “receiving a product category selection; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix”.

Teresko does not describe or suggest a method as recited in Claim 1. Specifically, Teresko does not describe or suggest a method for product selection assistance, the method including receiving a product category selection, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, presenting a product configuration question, receiving a product configuration answer, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, Teresko does not describe or suggest receiving a product category selection, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product entry for each of the matched

products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 1 is submitted to be patentable over Teresko.

Claims 5 and 11 depend from independent Claim 1. When the recitations of 5 and 11 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 5 and 11 likewise are patentable over Teresko.

Claim 14 recites a product selection assistance tool including "a communication interface; a processing circuit coupled to the communication interface; and a memory coupled to the processing circuit, the memory storing, for execution by the processing circuit, instructions for: receiving a product category selection over the communication interface; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix".

Teresko does not describe or suggest a product selection assistance tool as recited in Claim 14. Specifically, Teresko does not describe or suggest a product selection assistance tool including a communication interface, a processing circuit coupled to the communication interface, and a memory coupled to the processing circuit, the memory storing, for execution by the processing circuit, instructions for receiving a product category selection over the

communication interface, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, presenting a product configuration question, receiving a product configuration answer, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, Teresko does not describe or suggest the memory storing instructions for receiving a product category selection over the communication interface, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 14 is submitted to be patentable over Teresko.

Claim 19 recites a product selection assistance Internet web page including "a matrix panel comprising a product matrix displaying a plurality of products using individual product entries comprising a model identifier and at least one product configuration parameter associated with the products; and a product configuration panel displaying a product configuration question and accepting a product configuration answer; the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix".

Teresko does not describe or suggest a product selection assistance tool as recited in Claim 19. Specifically, Teresko does not describe or suggest a product selection assistance

Internet web page including a matrix panel including a product matrix displaying a plurality of products using individual product entries including a model identifier and at least one product configuration parameter associated with the products, and a product configuration panel displaying a product configuration question and accepting a product configuration answer, the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, Teresko does not describe or suggest a matrix panel including a product matrix displaying a plurality of products using individual product entries including a model identifier and at least one product configuration parameter associated with the products, the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 19 is submitted to be patentable over Teresko.

Claim 25 recites a computer program product including "a storage medium readable by a processing circuit and storing for execution by the processing circuit: instructions for receiving a product category selection; instructions for matching the product category selection against a product database to determine a plurality of matched products; instructions for displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; instructions for presenting a product configuration question; instructions for receiving a product configuration answer; and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix".

Teresko does not describe or suggest a computer program product including a storage medium readable by a processing circuit and storing for execution by the processing circuit instructions for receiving a product category selection, instructions for matching the product category selection against a product database to determine a plurality of matched products,

instructions for displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, instructions for presenting a product configuration question, instructions for receiving a product configuration answer, and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, Teresko does not describe or suggest a storage medium storing instructions for receiving a product category selection, instructions for matching the product category selection against a product database to determine a plurality of matched products, instructions for displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 25 is submitted to be patentable over Teresko.

Claims 26 depends from independent Claim 25. When the recitations of Claim 26 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claim 26 likewise is patentable over Teresko.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1, 5, 11, 14, 19, 25, and 26 be withdrawn.

The rejection of Claims 2, 3, 6, 9, 10, 13, 15-18, 22, 23, 27, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Teresko in view of Official Notice regarding Website design ("Website design Official Notice") is respectfully traversed.

Claims 2, 3, 6, 9, 10, and 13 depend, directly or indirectly, on Claim 1. Claim 1 recites a method for product selection assistance, the method including "receiving a product

category selection; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix”.

Neither Teresko nor the Website design Official Notice describe or suggest a method as recited in Claim 1. Specifically, neither Teresko nor the Website design Official Notice describe or suggest a method for product selection assistance, the method including receiving a product category selection, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, presenting a product configuration question, receiving a product configuration answer, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, neither Teresko nor the Website design Official Notice describe or suggest receiving a product category selection, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor’s options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 1 is submitted to be patentable over Teresko in view of the Website design Official Notice.

Claims 2, 3, 6, 9, 10, and 13 depend from independent Claim 1. When the recitations of 2, 3, 6, 9, 10, and 13 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2, 3, 6, 9, 10, and 13 likewise are patentable over Teresko in view of the Website design Official Notice.

Claims 15-18 depend, directly or indirectly, on Claim 14. Claim 14 recites a product selection assistance tool including “a communication interface; a processing circuit coupled to the communication interface; and a memory coupled to the processing circuit, the memory storing, for execution by the processing circuit, instructions for: receiving a product category selection over the communication interface; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix”.

Neither Teresko nor the Website design Official Notice describe or suggest a product selection assistance tool as recited in Claim 14. Specifically, neither Teresko nor the Website design Official Notice describe or suggest a product selection assistance tool including a communication interface, a processing circuit coupled to the communication interface, and a memory coupled to the processing circuit, the memory storing, for execution by the processing circuit, instructions for receiving a product category selection over the communication interface, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, presenting a product configuration question, receiving a product configuration answer, and responsively updating the product matrix based on the product



configuration answer to eliminate at least one product entry in the product matrix. Moreover, neither Teresko nor the Website design Official Notice describe or suggest the memory storing instructions for receiving a product category selection over the communication interface, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 14 is submitted to be patentable over Teresko in view of the Website design Official Notice.

Claims 15-18 depend from independent Claim 14. When the recitations of Claim 15-18 are considered in combination with the recitations of Claim 14, Applicants submit that dependent Claims 15-18 likewise are patentable over Teresko in view of the Website design Official Notice.

Claims 22-23 depend, directly or indirectly, on Claim 19. Claim 19 recites a product selection assistance Internet web page including "a matrix panel comprising a product matrix displaying a plurality of products using individual product entries comprising a model identifier and at least one product configuration parameter associated with the products; and a product configuration panel displaying a product configuration question and accepting a product configuration answer; the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix".

Neither Teresko nor the Website design Official Notice describe or suggest a product selection assistance tool as recited in Claim 19. Specifically, neither Teresko nor the Website design Official Notice describe or suggest a product selection assistance Internet web page

including a matrix panel including a product matrix displaying a plurality of products using individual product entries including a model identifier and at least one product configuration parameter associated with the products, and a product configuration panel displaying a product configuration question and accepting a product configuration answer, the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, neither Teresko nor the Website design Official Notice describe or suggest a matrix panel including a product matrix displaying a plurality of products using individual product entries including a model identifier and at least one product configuration parameter associated with the products, the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 19 is submitted to be patentable over Teresko in view of the Website design Official Notice.

Claims 22 and 23 depend from independent Claim 19. When the recitations of Claim 22 and 23 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claims 22 and 23 likewise are patentable over Teresko in view of the Website design Official Notice.

Claims 27 and 28 depend, directly or indirectly, on Claim 25. Claim 25 recites a computer program product including "a storage medium readable by a processing circuit and storing for execution by the processing circuit: instructions for receiving a product category selection; instructions for matching the product category selection against a product database to determine a plurality of matched products; instructions for displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; instructions for presenting a product configuration question; instructions for receiving a product configuration answer; and instructions for responsively updating the

product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix”.

Neither Teresko nor the Website design Official Notice describe or suggest a computer program product including a storage medium readable by a processing circuit and storing for execution by the processing circuit instructions for receiving a product category selection, instructions for matching the product category selection against a product database to determine a plurality of matched products, instructions for displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, instructions for presenting a product configuration question, instructions for receiving a product configuration answer, and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, neither Teresko nor the Website design Official Notice describe or suggest a storage medium storing instructions for receiving a product category selection, instructions for matching the product category selection against a product database to determine a plurality of matched products, instructions for displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 25 is submitted to be patentable over Teresko in view of the Website design Official Notice.

Claims 27 and 28 depend from independent Claim 25. When the recitations of Claim 27 and 28 are considered in combination with the recitations of Claim 25, Applicants submit

that dependent Claims 27 and 28 likewise are patentable over Teresko in view of the Website design Official Notice.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Teresko nor the Website design Official Notice, considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Teresko with the Website design Official Notice because there is no motivation to combine the references suggested in the art.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 2, 3, 6, 9, 10, 13, 15-18, 22, 23, 27, and 28 be withdrawn.

Moreover, Applicants respectfully traverse the Website design Official Notice with respect to Claims 2, 3, 6, 9, 10, 13, 15-18, 22, 23, 27, and 28. The Office Action states on pages 3 and 4 that "Examiner takes official notice that deletion and insertion of elements in a webpage display is notoriously known e-commerce website design...Examiner takes official

notice that hyperlinks are notoriously known in the art of e-commerce website design as a means of retrieving more detailed information, i.e., leading to another page...Examiner takes official notice that returning search results (displaying configuration answers) outside of the main display – like in a navigation bar – is notoriously known in the art of e-commerce web design” However, the Office Action fails to provide the Applicants with any specific citation to any reference supporting the Official Notice. The rejection, therefore, fails to provide the Applicants with a fair opportunity to respond to the rejection, and fails to provide the Applicants with the opportunity to challenge the correctness of the rejection. Therefore, Applicants respectfully request that the Section 103 rejection of Claims 2, 3, 6, 9, 10, 13, 15-18, 22, 23, 27, and 28 be withdrawn.

For the reasons set forth above, Applicants respectfully request that the rejection of Claims 2, 3, 6, 9, 10, 13, 15-18, 22, 23, 27, and 28 under 35 U.S.C. 103(a) be withdrawn.

The rejection of Claims 4, 24, and 29 under 35 U.S.C. § 103(a) as being unpatentable over Teresko in view of “With nine Shopping Days Till Christmas, ShopAround.com Helps Last Minute E-Shoppers Find the Right gift for the Right Price (December 14, 1999. Business Wire)” (“Nine Days”) is respectfully traversed.

Teresko is described above. Nine Days describes Shoparound.com that can make last minute shopping fun as shoppers search for most difficult-to-find items on their gift list from more than 5,700 retailers. Shoparound.com allows to search for a specific product or just browse – either way it allows comparison shopping from easy-to-read listing of results that includes thumbnail product photos, Web site links, merchant contact information, and product descriptions and prices.

Claim 4 depends, directly or indirectly, on Claim 1. Claim 1 recites a method for product selection assistance, the method including “receiving a product category selection; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product

configuration parameter associated with the matched products; presenting a product configuration question; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix”.

Neither Teresko nor Nine Days describe or suggest a method as recited in Claim 1. Specifically, neither Teresko nor Nine Days describe or suggest a method for product selection assistance, the method including receiving a product category selection, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, presenting a product configuration question, receiving a product configuration answer, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, neither Teresko nor Nine Days describe or suggest receiving a product category selection, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order, and Nine Days describes that Shoparound.com allows comparison shopping from easy-to-read listing of results that includes thumbnail product photos, Web site links, merchant contact information, and product descriptions and prices. For the reasons set forth above, Claim 1 is submitted to be patentable over Teresko in view of Nine Days.

Claim 4 depends from independent Claim 1. When the recitations of Claim 4 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 4 likewise is patentable over Teresko in view of Nine Days.

Claim 24 depends, directly or indirectly, on Claim 19. Claim 19 recites a product selection assistance Internet web page including “a matrix panel comprising a product matrix displaying a plurality of products using individual product entries comprising a model identifier and at least one product configuration parameter associated with the products; and a product configuration panel displaying a product configuration question and accepting a product configuration answer; the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix”.

Neither Teresko nor Nine Days describe or suggest a product selection assistance tool as recited in Claim 19. Specifically, neither Teresko nor Nine Days describe or suggest a product selection assistance Internet web page including a matrix panel including a product matrix displaying a plurality of products using individual product entries including a model identifier and at least one product configuration parameter associated with the products, and a product configuration panel displaying a product configuration question and accepting a product configuration answer, the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, neither Teresko nor Nine Days describe or suggest a matrix panel including a product matrix displaying a plurality of products using individual product entries including a model identifier and at least one product configuration parameter associated with the products, the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor’s options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order, and Nine Days describes that Shoparound.com allows comparison shopping from easy-to-read listing of results that includes thumbnail product photos, Web site links, merchant contact information, and product descriptions and prices. For the reasons

set forth above, Claim 19 is submitted to be patentable over Teresko in view of the Nine Days.

Claim 24 depends from independent Claim 19. When the recitations of Claim 24 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claim 24 likewise is patentable over Teresko in view of Nine Days.

Claim 29 depends, directly or indirectly, on Claim 25. Claim 25 recites a computer program product including “a storage medium readable by a processing circuit and storing for execution by the processing circuit: instructions for receiving a product category selection; instructions for matching the product category selection against a product database to determine a plurality of matched products; instructions for displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; instructions for presenting a product configuration question; instructions for receiving a product configuration answer; and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix”.

Neither Teresko nor Nine Days describe or suggest a computer program product including a storage medium readable by a processing circuit and storing for execution by the processing circuit instructions for receiving a product category selection, instructions for matching the product category selection against a product database to determine a plurality of matched products, instructions for displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, instructions for presenting a product configuration question, instructions for receiving a product configuration answer, and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, neither Teresko nor Nine Days describe or suggest a storage medium storing



instructions for receiving a product category selection, instructions for matching the product category selection against a product database to determine a plurality of matched products, instructions for displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order, and Nine Days describes that Shoparound.com allows comparison shopping from easy-to-read listing of results that includes thumbnail product photos, Web site links, merchant contact information, and product descriptions and prices. For the reasons set forth above, Claim 25 is submitted to be patentable over Teresko in view of Nine Days.

Claim 29 depends from independent Claim 25. When the recitations of Claim 29 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claim 29 likewise is patentable over Teresko in view of Nine Days.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Teresko nor Nine Days, considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Teresko with Nine Days because there is no motivation to combine the references suggested in the art.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is

rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Teresko is cited for its teaching that the software enables customers to browse the vendor's options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order, and Nine Days is cited for its teaching that Shoparound.com allows comparison shopping from easy-to-read listing of results that includes thumbnail product photos, Web site links, merchant contact information, and product descriptions and prices. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 4, 24, and 29 be withdrawn.

For the reasons set forth above, Applicants respectfully request that the rejection of Claims 4, 24, and 29 under 35 U.S.C. 103(a) be withdrawn.

The rejection of Claims 7, 8, 12, 20, and 21 under 35 U.S.C. § 103(a) as being unpatentable over Teresko in view of Official Notice regarding database design ("Database design Official Notice") is respectfully traversed.

Claims 7, 8, and 12 depend, directly or indirectly, on Claim 1. Claim 1 recites a method for product selection assistance, the method including "receiving a product category selection; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least

one product configuration parameter associated with the matched products; presenting a product configuration question; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix”.

Neither Teresko nor the Database design Official Notice describe or suggest a method as recited in Claim 1. Specifically, neither Teresko nor the Database design Official Notice describe or suggest a method for product selection assistance, the method including receiving a product category selection, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, presenting a product configuration question, receiving a product configuration answer, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, neither Teresko nor the Database design Official Notice describe or suggest receiving a product category selection, matching the product category selection against a product database to determine a plurality of matched products, displaying a product matrix including a product entry for each of the matched products, each product entry including a model identifier and at least one product configuration parameter associated with the matched products, and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor’s options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 1 is submitted to be patentable over Teresko in view of the Database design Official Notice.

Claims 7,8, and 12 depend from independent Claim 1. When the recitations of Claims 7, 8, and 12 are considered in combination with the recitations of Claim 1, Applicants

submit that dependent Claims 7, 8, and 12 likewise are patentable over Teresko in view of the Database design Official Notice.

Claims 20 and 21 depend, directly or indirectly, on Claim 19. Claim 19 recites a product selection assistance Internet web page including “a matrix panel comprising a product matrix displaying a plurality of products using individual product entries comprising a model identifier and at least one product configuration parameter associated with the products; and a product configuration panel displaying a product configuration question and accepting a product configuration answer; the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix”.

Neither Teresko nor the Database design Official Notice describe or suggest a product selection assistance tool as recited in Claim 19. Specifically, neither Teresko nor the Database design Official Notice describe or suggest a product selection assistance Internet web page including a matrix panel including a product matrix displaying a plurality of products using individual product entries including a model identifier and at least one product configuration parameter associated with the products, and a product configuration panel displaying a product configuration question and accepting a product configuration answer, the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix. Moreover, neither Teresko nor the Database design Official Notice describe or suggest a matrix panel including a product matrix displaying a plurality of products using individual product entries including a model identifier and at least one product configuration parameter associated with the products, the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix. Rather, Teresko describes that the software enables customers to browse the vendor’s options, configure their selections, buy complex products or services online without the sales representative, and walk through the series of questions to configure the order. For the reasons set forth above, Claim 19 is submitted to be patentable over Teresko in view of the Database design Official Notice.

Claims 20 and 21 depend from independent Claim 19. When the recitations of Claims 20 and 21 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claims 20 and 21 likewise are patentable over Teresko in view of the Database design Official Notice.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Teresko nor the Database design Official Notice, considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Teresko with the Database design Official Notice because there is no motivation to combine the references suggested in the art.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 7, 8, 12, 20 and 21 be withdrawn.

Moreover, Applicants respectfully traverse the Database design Official Notice with respect to Claims 7, 8, 12, 20 and 21. The Office Action states on page 6 that "Office Notice

is taken that sorting by field and displaying the results by field is notoriously known in the art of database design.” However, the Office Action fails to provide the Applicants with any specific citation to any reference supporting the Official Notice. The rejection, therefore, fails to provide the Applicants with a fair opportunity to respond to the rejection, and fails to provide the Applicants with the opportunity to challenge the correctness of the rejection. Therefore, Applicants respectfully request that the Section 103 rejection of Claims 7, 8, 12, 20 and 21 be withdrawn.

For the reasons set forth above, Applicants respectfully request that the rejection of Claims 7, 8, 12, 20 and 21 under 35 U.S.C. 103(a) be withdrawn.

In view of the foregoing remarks, this application is believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ruppelt et al.

Serial No.: 09/480,344

Filed: January 10, 2000

For: METHOD AND APPARATUS  
FOR PRODUCT SELECTION  
ASSISTANCE

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: Art Unit: 3625  
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: Examiner: Sabrina A. Chang  
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RECEIVED  
MAR 25 2003  
GROUP 3600

**SUBMISSION OF MARKED UP PARAGRAPHS**

Box: Non-Fee Amendment  
Hon. Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith are Marked Up paragraphs in accordance with 37 C.F.R.  
1.121(b)(1)(iii), where additions are underlined and deletions are [bracketed].

IN THE SPECIFICATION:

Please replace the paragraph beginning on page 8, line 28 and ending on page 9, line 4  
with the following replacement paragraph.

Turning now to Figure 3, that figure illustrates a product selection assistance web  
page 300. The web page 300 includes a matrix panel 302 that displays a product matrix 304  
with product entries 306. The product entries 306 include a model number 308, a model  
price 310, and product configuration parameters [312-316]312, 314, and 316 associated with  
the products. Note that fewer than all possible product configuration parameters are  
generally displayed in order to avoid overwhelming the consumer with options. However,  
while three product configuration parameters [312-316]312, 314, and 316 are shown in the

product matrix 304, greater or fewer may also be displayed simultaneously. The web page 300 also includes a product configuration panel 318 that displays a product configuration question 320 and that accepts a product configuration answer 322. As illustrated, the product configuration answers 322 take the form of toggle button input.

Please replace the paragraph beginning on page 9, line 16 and ending on page 9, line 20 with the following replacement paragraph.

As noted above, the product matrix 304 responsively updates based on the product configuration answer 322 to eliminate at least one product entry 306 in the product matrix 304. It is further noted that the product configuration parameters [312-316]312, 314, and 316 may be formatted as hyperlinks to product configuration informational pages with detailed descriptions of the associated product configuration parameter.

Respectfully Submitted,



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